



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,256	02/13/2002	Rick D. Pelfrey	9513-0022	8584
7590	02/09/2005			EXAMINER BOCHNA, DAVID
Intellectual Property Group Bose McKinney & Evans LLP 2700 First Indiana Plaza 135 North Pennsylvania Street Indianapolis, IN 46204			ART UNIT 3679	PAPER NUMBER
DATE MAILED: 02/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/076,256	PELFREY ET AL.	
	Examiner	Art Unit	
	David E. Bochna	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18, 20, 21, 28-33, 36, 37, 39-50 and 52-54 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-10, 20, 21, 36, 37, 39-50 and 52-54 is/are allowed.
- 6) Claim(s) 11-13, 16-18, 28 and 29 is/are rejected.
- 7) Claim(s) 14, 15 and 30-33 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11-13 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Bielinski.

In regard to claim 11, Bielinski a pneumatic device comprising a first pneumatic component 11 configured to receive pressurized air, a second pneumatic component 11 configured to receive pressurized air, and a pneumatic coupling configured to couple the first pneumatic component to the second pneumatic component, the pneumatic coupling being configured to move from a first position (fig. 2) with the first and second components fluidly coupled to permit the flow of pressurized air from the first pneumatic component to the second pneumatic component and a second position (where only hooks 21 are connected and handles 26 are in the open position) with the first and second pneumatic components fluidly uncoupled to permit the flow of pressurized air from the first pneumatic component to a location external of the first and second pneumatic components, the second pneumatic component being restrained from moving beyond a predetermined distance from the first pneumatic component when the pneumatic coupling is in the second position (when hooks are coupled).

In regard to claim 12, the first pneumatic component is a pneumatic line 16 and the second pneumatic component is a pneumatic line 16 in fluid communication with the first pneumatic line when the pneumatic coupling is in the first position.

In regard to claim 13, the pneumatic coupling includes first and second housings 11 and a coupler 26 configured to couple the first and second housings together.

In regard to claim 16 Bielinski discloses a pneumatic device comprising a first pneumatic component 11 configured to receive pressurized air, a second pneumatic component 11 configured to receive pressured air, and

a two-stage pneumatic coupling configured to move between a first coupled position (fig. 2), a second coupled position (where hooks 21 are connected and handles 26 in open position), and a third uncoupled position (fig. 3), the first and second pneumatic components being coupled together and in sealed fluid communication when the two-stage pneumatic coupling is in the first coupled position, the first and second pneumatic components being coupled together and unsealed when the two-stage pneumatic coupling is in the second coupled position, the first and second pneumatic components being uncoupled when the two-stage pneumatic coupling is in the uncoupled position.

In regard to claim 17, wherein the pneumatic coupling includes first and second housings 11 and a coupler 26 configured to couple the first and second housings together, the first housing is configured to receive the first pneumatic component, the second housing is configured to receive the second pneumatic component, the first and second housings are spaced apart and coupled together by the coupler when the two-stage pneumatic coupling is in the second position.

In regard to claim 18, wherein the coupler is an over-center latch 25 configured to couple the first and second housings together.

3. Claims 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Dye.

In regard to claim 28, Dye discloses a pneumatic coupling configured to couple a plurality of pneumatic components, the pneumatic coupling comprising a housing 14 configured to receive a plurality of pneumatic components 16 and fluidly couple first and second pneumatic components of the plurality of pneumatic components together, the housing including a housing body 26 and a plurality of parallel ribs (either 48 or 22) extending substantially across the housing body 26 to strengthen the housing (intended use and is given little patentable weight as long as the prior art contains all of the recited subject matter), the plurality of parallel ribs 22 defining a plurality of grooves 42 there between.

In regard to claim 29, the housing body 26 includes a plurality of channel bodies 38 coupled to the plurality of ribs 22, the channel bodies cooperate to define a plurality of channels sized to receive the first and pneumatic components 16.

Allowable Subject Matter

4. Claims 1-10, 20-21, 36-37, 39-50 and 52-54 are allowed.

5. Claims 14-15 and 30-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 28-29 and have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3679

7. Applicant's arguments with respect to claims 11-13 and 16-18, filed 10/29/04, have been fully considered but they are not persuasive. Applicant argues that Belinski fails to disclose or suggest a coupling being configured to move from a first position to a second position where the first position allows pressurized air to flow between components and the second position allows pressurized air to flow from the first component to an external location. Applicant also argues that Belinski fails to disclose that the second component is restrained from moving beyond a predetermined distance from the first component when the coupling is in the second position. The Examiner disagrees.

The first position is shown in fig. 1, where the two components are biased together by hooks 21 and levers 26, placing pressure on gaskets 22 and 19. The second position would occur when the hooks are coupled together, but the levers 26 are in the open position, as shown in fig.

3. Applicant argues that Belinski fails to define this second position. However, there is support for this second position in the specification at col. 2, lines 5-10. Belinski states that the hooks 21 are brought together (the second position where the first component cannot move beyond a predetermined distance from the second component) and then that the rocking of the toggle levers imposes a compressive force on the sealing members (the first position). Therefore Belinski teaches a two-stage pneumatic coupling configured to move between a first coupled position and a second coupled position that releases air to an external location and a third uncoupled position as required by both claims 11 and 16.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.


David Bochna
Primary Examiner
Art Unit 3679
February 6, 2005